## BEFORE THE PUBLIC DISCLOSURE COMMISSION 1 OF THE STATE OF WASHINGTON 2 3 IN THE MATTER OF ENFORCEMENT **ACTION AGAINST** 4 PDC CASE NO: 04-423 More Cops Now 5 Ed Troyer, Treasurer FINAL ORDER IMPOSING FINE ) 6 Respondent ) 7 **INTRODUCTION** 8 The Washington State Public Disclosure Commission (Commission) conducted an 9 enforcement hearing (adjudicative proceeding) under chapters 34.05 and 42.17 RCW and 10 chapter 390-37 WAC on October 26, 2004, with respect to the above-captioned matter. The 11 12 Commission convened the hearing at the Evergreen Plaza Building, Room 206, 711 Capitol 13 Way South, in Olympia, Washington. The Staff appeared through Philip E. Stutzman, 14 Director of Compliance. Ed Troyer, treasurer of More Cops Now, appeared on behalf of the 15 Respondent. 16 The Commission was provided a copy of the Report of Investigation dated October 11, 17 18 2004, the Notice of Administrative Charges dated October 15, 2004 and a Stipulation of Facts, 19 Violations and Penalty (Stipulation) of the parties signed October 21, 2004 by the Respondent 20 and October 26, 2004 by Vicki Rippie, Executive Director of the Public Disclosure 21 Commission. The Stipulation is attached and incorporated by reference into this Order. After 22 due consideration of the Notice of Administrative Charges, the Stipulation, and oral argument 23 by Staff and the Respondent, the Commission accepted the Stipulation. The Commission 24 therefore makes the following findings and enters the following order. 25

26

1	<u>FINDINGS</u>
2	Based upon the stipulated facts and violations in the Stipulation, the Commission
3	enters the following findings.
4 5	1. The Commission finds that the Respondent committed a violation of RCW
6	42.17.040 by failing to properly disclose an address and time for public inspection of
7	campaign records eight days before the general election;
8	2. The Commission finds that the Respondent committed multiple violations of RCW
9	42.17.080 and .090 by
10	• Failing to timely report receipt of a \$20,000 contribution it received from
11	Washington State Council of County and City Employees on October 11, 2003.
12	<ul> <li>Failing to report contributions totaling \$1,800 on C-3 reports.</li> </ul>
13	<ul> <li>Failing to report expenditures totaling \$2,600 on C-4 reports.</li> </ul>
<ul><li>14</li><li>15</li></ul>	<ul> <li>Failing to timely file a post election C-4 report.</li> </ul>
16	
17	• Failing to file accurate reports of contributions and expenditures.
18	3. The Commission finds that the Respondent committed a violation of RCW
19	42.17.3691 by failing to electronically file its reports of contributions and expenditures.
20	<u>ORDER</u>
21	The Commission orders as follows:
22	1. That the Stipulation of Facts, Violations and Penalty is accepted;
23	2. That a total civil penalty of \$3,000 is assessed against the Respondent;
24	3. That \$1,500 of the penalty is suspended on the condition that neither More
<ul><li>25</li><li>26</li></ul>	Cops Now nor any public safety ballot committee of which Mr. Troyer is an officer is found

1	in violation of RCW 42.17 for a period of two years from the date of this Order as determined
2	by the Full Commission.
3	RECONSIDERATION OF FINAL ORDER - COMMISSION
4 5	Any party may ask the Commission to reconsider this final order. Parties must place
6	their requests for reconsideration in writing, include the specific grounds or reasons for the
7	request, and deliver the request to the Public Disclosure Commission Office within Twenty-
8	One (21) business days of the date that the Commission serves this order upon the party.
9	Grounds for reconsideration shall be limited to:
10	a) New facts or legal authorities that could not have been brought to the commission's
11	attention with reasonable diligence. If errors of fact are alleged, the requester must
12	identify the specific evidence in the prior proceeding on which the requester is relying.
13 14	If errors of law are alleged, the requester must identify the specific citation; or
15	b) Significant typographical or ministerial errors in the order.
16	Pursuant to RCW 34.05.470, the Public Disclosure Commission is deemed to have
17	denied the petition for reconsideration if, within twenty (20) business days from the date the
18	petition is filed, the Commission does not either dispose of the petition or serve the parties
19	with written notice specifying the date by which it will act on the petition. Pursuant to RCW
20	34.05.470, the Respondent is not required to ask the Public Disclosure Commission to
21	reconsider the final order before seeking judicial review by a superior court.
<ul><li>22</li><li>23</li></ul>	FURTHER APPEAL RIGHTS – SUPERIOR COURT
24	Pursuant to RCW 42.17.395(5), a <b>final order</b> issued by the Public Disclosure
25	Commission is subject to judicial review under the Administrative Procedures Act, chapter
26	

1	34.05 RCW. The procedures are provided in RCW 34.05.510598. Pursuant to RCW
2	34.05.542(2), a petition for judicial review must be filed with the superior court in Thurston
3	County or the petitioner's county of residence or principal place of business. The petition for
4 5	judicial review must be served on the Public Disclosure Commission and any other parties
6	within 30 days of the date that the Public Disclosure Commission serves this final order on
7	the parties.
8	If reconsideration is properly sought, the petition for judicial review must be served on
9	the Public Disclosure Commission and any other parties within thirty (30) days after the
10	Commission acts on the petition for reconsideration.
11	ENFORCEMENT OF FINAL ORDERS
12	The Commission will seek to enforce this final order in superior court under RCW
13	
14	42.17.395397, and recover legal costs and attorney's fees, if the penalty remains unpaid and
15	no petition for judicial review has been filed under chapter 34.05 RCW. This action will be
16	taken without further order by the Commission.
17	DATED THIS 24 <sup>th</sup> day of November, 2004.
18	EOD THE COMMISSION.
19	FOR THE COMMISSION:
20	
21	VICKI RIPPIE, Executive Director
22	Attachment: Stipulation of Facts, Violations and Penalty Dated October 26, 2004
23	MAILING DATE OF THIS ORDER:
24	
25	
26	